Southern Pacific Pipe Lines, Inc.

800 PACIFIC BUILDING, PORTLAND, DREGON 97204

KOERNER, YOUNG, MCCOLLOCH & DEZENDORF

February 17, 1964

Miss Marian C. Rushing, Chief Deputy Office of the City Attorney 306 City Hall Portland, Oregon

Re: City of Portland Franchise to Southern Pacific Pipe Lines. Inc.

Dear Marian:

We enclose herewith Draft No. 53200 of Southern Pacific Pipe Lines, Inc. in the sum of \$411.10. The amount of revenues and the method of calculating the franchise fee are shown on the attached portion of the draft.

Our records indicate that the next payment will cover the first quarter of calendar year 1964. This payment will be due on or before May 15, 1964.

Very truly yours,

Oglsohy H. young

Enclosure

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AUD. 50-25-6

RECEIVED

APR 22 10 09 AM '64 ACCEPTANCE

RAY SMITH, AUDITOR

April 2 Portland, Oregon.

RAY SMITH Auditor of the City of Portland. Room 202, City Hall Portland 4, Oregon Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 118285 granting to Southern Pacific Pipe Idnes, Inc., a corporation. its successors, assigns and lessees, a franchise to use the streets, alleys and public highways within the City of Portland north of West Burnside Street for transporting petroleum products by pipe line for a period of 20 years and providing terms and conditions.

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours.

Southern Pacific Pipe Lines, Inc.

[CORPORATE SEAL]

Vice President & General Manager

610 So. Main St., Los Angeles, Calif. 90014

Address

Approved as to form:

^{*}When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

KOERNER, YOUNG, MCCOLLOCH & DEZENDORF

ATTORNEYS AT LAW

EIGHTH FLOOR, PACIFIC BUILDING

PORTLAND 4, OREGON

CAPITOL 6-6151

DEY, HAMPSON & NELSON 1918 - 1943 HAMPSON, KOERNER, YOUNG & SWETT 1944 - 1947 KOERNER, YOUNG, SWETT & MICCOLLOCH 1948 - 1950

GEORGE B CAMPBELL
EDWIN L GRAHAM
JOHN P BLEDSOE
JAMES D TREDUF
HERBERT H INDERSON
OGLESBY H YOUNG
WAYNE HILLIARD
JAMES H CLARKE
MARSHALL C CHENEY, JR
LEW'S K SCOTT
ROBLET W PACKWOOD
GEORGE L WAGNED
KENNETH M JUDD
KAYE C ROBINETTE
STANLEY R LOEB
JAMES Y HOLMES
JAMES Y HOLMES

ANDREW HOERNER
CLARENCE J 10103
FRANK C. MCCOLLOCH
UAMES C. DEZENDORF
FRANK H SPEARS
JOHN GORDON GEARIN
WILLIAM F. LUBERSKY
HARRY U DEFRANCO
GEORGE B. CAMPBELL

BY MESSENGER

Hon. Mayor and City Council of Portland, Oregon City Hall Portland, Oregon

Gentlemen:

June 2E 1962 RECEIVED

Ordinance 115157, as amended by Ordinance 115236, grants Southern Pacific Pipe Lines, Inc. a revocable permit to lay, use and maintain pipe lines 8" in diameter in, under and across certain Portland streets. The permit was granted subject to the negotiation of a franchise covering the operation.

Southern Pacific Pipe Lines, Inc. hereby makes application for a 20-year franchise from the City of Portland for the pipe line operation described in permit Ordinance 115157 as amended.

Attached hereto (in sets) are eight copies each of the following drawings showing the location of the operation as it affects City of Portland streets:

Drawing, B-O-D-170-Leif Erikson Road

Drawing, A & B-O A & B-1

Drawings, A-2 through A-9

Drawings, B-2 through B-9.

To each set of drawings is attached a set of narrative descriptions of the location of the operation.

Hon. Mayor and City Council of Pertland, Oregon

-2-

June 21, 1962

Construction will be substantially in accordance with the above-mentioned drawings and descriptions. Deviations will occur only in accordance with the provisions of Ordinance 115236, by which the original permit ordinance was amended to cover conflict between the construction of the pipe lines and utility facilities located in the streets.

The City Engineer and other affected departments of the City have been furnished supporting data in connection with the issuance of the permit. However, if further information is desired, please advise us and we will arrange to have it furnished.

Very truly yours,

Edwin & Groham

Enclosures

pipe lines under and across certain streets in the City of Portland. for 20 year franchise to lay, use and maintain Application of Southern Pacific Pipe Lines, Inc.

Jun 2 1962

Referred to Commissioner of Public Works

RAY SMITH

Audite Sine CITY OF PORTLAND
By Some Sine CITY OF PORTL

MARK BUCK GRAYSON COMMISSIONER



DEPARTMENT OF

CITY OF PORTLAND OREGON

January 21, 1964

TO THE COUNCIL

Gentlemen:

Your Commissioner of Public Utilities returns Council Document 2321 for 1962, being the application of Southern Pacific Pipe Lines, Inc. for a 20-year franchise to lay, use and maintain pipe lines under and across certain streets in the City of Portland.

This document had been referred to the Commissioner of Public Works and in turn was forwarded to the Commissioner of Public Utilities for study.

The form of franchise proposed as a result of this study has been negotiated through the office of the City Attorney. It provides for a possible increase to the city of compensation in the event of annexation in the Northwest portion.

The franchise will run for 20 years from the effective date thereof, but the compensation will include additional compensation from the time when transportation through the pipe line was first started to the effective date of the franchise ordinance.

Your Commissioner recommends

that Council Document No. 2321 for the 1962 be filed and that the franchise ordinance filed herewith be processed in accordance with Charter provisions.

Respectfully submitted,

MARK A. GRAYSON

Commissioner of Public Utilities

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Report of Commissioner of Public Utilities returning Council Document 2321 for 1962, being application of Southern Pacific Pipe Lines, Inc. for 20 year franchise to lay, use and maintain pipe lines under and across certain streets in the City of Portland; RECOMMENDING that said document be filed in accordance with Charter provisions.

(Return CC 2321)

ADOPTED

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JAN 22 1984

RAY SMITH

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Portland Livertock

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NP VOTES DIVIDEND

child AGO (AP) — Director change was sold Thursday of the Northern Pacific Rail for \$230,000, the highest price paid since August 1933. The price was \$5,000 above cents a share on outstanding capital stock, payable April 30 to stockholders of record April 9

'Piggyback Hotel' Is Fun



Ford ³4- ton, F-250 pickup and 10-foot Travel Queen camper Portland Reporter's auto editor used for a week of road testing. With "piggyback hotel" are Roy Sumner. Kirby Ford truck manager, receiving membership card to Oregon Camper club from Pres. Cal Wallis. Club has 31 members. Aim is 75.

EXCHANGE SEAT SOLD

NEW YORK (AP)-A seat on the New York Stock Ex-CHICAGO (AP) -- Director change was sold Thursday

Over-the-Counter Stocks

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| January 15th 27th 23th 27th 23th | Calif Pacific |
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| Naileys Ind 10th 11th | Port Gen Electric |
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Mutual Investment Funds

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| above : | Am Gr Fd. | 4.09 6.86 | 4 43 7 42 | Fd Inv Gen Inv T | 10 26 6 93 | 7 53 | Div | 4.40 | 4.81 |
| mber- | Am Gr Fd. Am Inv | 19.72 | 19 72 | Group Sec | 0 9.1 | 1 33 | Pref Inc | 7.35 6.09 | 8.03 6.66 |
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| - 1 | Blu Rdg Bndstk Corp | 4 99 | 5 45 | Inc ra Bs | 8.48 | 10.40 | Ophmr | 16.26 | 17 77 |
| | Bost Fd | 9 99 | 10.92 | inc Fd Inc Fd Bs Incp Inc Incp Inc Incp Inc | 7.27 | 7.95 | Penn Sq | 18.81 | 18.81 |
| | Brd St. | 14 63 | 15.87 | Inst. Funds | | | On Wm S Ophmr Penn Sq Peop Sec Plul Fd Pine St | 7.99 | 8.76 |
| Asked | Calif Fd | 14 01 6 12 | 6.87 | Found Growth | 12.41 | 13.56 | Pine St | 12.05 | 13.21 |
| 1848 | Can G F | 17 55 | 19 18 | Growth Income | 7.51 | 8 21 | Pionr Fd | 9.45 | 10.44 |
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| 444 | Cap Shrs | 9 70 | 10 63 | Intl Res | 4.89 | 5.34 | Pur Fd | 4.15 | 4.54 |
| 3734 | Cent Shrs | 15 71 | 17 17 | Intl Res In Co A In Tr Bs | 12 51 | 13 67 | Put Fd | 8.92 | 9.64 |
| 2316 | Chs Fd B Chm Fd | 5 78 12 94 | | INVEST Group | | | Put Fd Put Gr | 8.85 | 9.78 |
| 381/4 | Col Fd | 11.55 | 12 62 | Mutual Stock | 10.53 | 12 69 | QIt Dist Rsrch Inv | 7.09 | 7.75 |
| | Col Gr | 12.59 | 13.76 | Selective | 10 45 | 11.18 | Revere Fd | 11.19 | 12.23 |
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| 5214 | | 9.46 | 10.28 | B 2 | 23.74 | 25.90 | Shrs Am Ind | 14.66 | 15.89 |
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Thursday's Selected New York Stocks

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| Amerada Pet | . 744 | 7414 | 744 |
| American Air | | 36 | 3604 |
| American Can . | 4214 | 4134 | 4134 |
| American Cyan | | 58** | 5914 |
| Am Mch & Fdy | 1814 | 18 | 18 |
| Amer Motors | 17 | 16% | 16% |
| A PAL A | 1144 | 1114 | 114 |
| Am Smelt & R | 804 | 8814 | 801 |
| | 14434 | 143% | 144 |
| Am Tobacco | | 28 | 2834 |
| Am Pex | 16% | 1614 | 164 |
| Anaronda | 4594 | 4534 | 45% |
| Armeo Steel | 6712 | 67 | 67 |
| Armour | 46 | 4514 | 46 |
| A co Mfg Co | 21 | 20% | 201 |
| | | | |
| hendix Avia | | 48% | 4834 |
| Brthiehem Sti | | 334 | 331/2 |
| Boeing Air | | 38% | 39 4 |
| Borg Warner brunswick | | 44% | 44% |
| Froughs | | 104 | 10% |
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| Canadian Pac | | 3312 | 331 W |
| Carrier Corp | 4714 | 46% | 47 |
| Case, J I | . 10% | 10% | 10% |
| Caterpil Tractor . | . 5314 | 5214 | 524 |
| , transerse. | 60% | 5914 | 6014 |
| Ches & Ohio | - 71% | 7014 | 7044 |
| thi RI&P | 2435 | 3414 | 34% |
| Chrysler | 30% | 3814 | 3834 |
| Cries Service | | 6514 | 66 h |
| Cora Cola | 1154 | 1154 | 11514 |
| Collins Radio | 1944 | 1914 | 194 |
| Consol Ed | | 83 14 | 8376 |
| Contl Car. | . 4314 | 43 | 4316 |
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| Cicwn Zellerb | 5314 | 53 4 | 5314 |
| There | 3714 | 37 | 374 |
| lacar Chemical | 69 | 66 14 | 68 |
| Lu Pent de N | 251 | 249 | 250 |
| East Air | 34 % | 33% | 344 |
| Lesiman Ked | 119 | 116 | 119 |
| | | | |

El Paso Gas Evans Products Firestone Ford Motor Ford, Motor
Gen Dynamics
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General Foods
General Motors
Gen Telephone
General Tire
Georgia Pacific
Goodrich, B.F.
Goodyear T&R
Grace, W. R.
Grt. North Ry.
Gulf Oil Kern-McGee
Litton Ind
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Reynolds Tob
Royal Dutch
Sefeway Stores 37% 37% 69% 50%

Foreign Exchange

NEW YORK (AP) Foreign Exchange in dollars Thursday
Cenada in NY (Free) 2858; Great
Britain (Pound) 2.7064; 30-asy Eritures 2.7986;
Bo days Futures 2.7986; 30-asy Futures 1.7986;
Bo days Futures 2.7881; Australia
Pound 2.2390; Belgium (Franci, 620086; Vrance (Franc), 2004); GerArison House (Franci) 2004; GerArison (Free) 0.0489; Swell (Arisona), 1927; Switzerland (Free)
(Krona), 1927; Switzerland (Free)
(Free), 23185; Bennark (Krone), 1467;
Argentina (Pean) (Free), 00735; Bravil (Cruzeiro) (Free), 2017; Mexico (Pean)
(902; Venezuela (Bolivar), 2227;
liong Kong dollar, 1755.

Spot Metals

NEW YORK (AP)—Spot nonferrous metal prices Thursday: Copper 31 cents a pound, Connecticut Valley, Loud 13 cents a pound, New York. Zinc 13-134 cents a pound. East St. Louis Tin 81:344 a pound, New York. Foreign silver \$1.293 per troy ounce. New York (Puloksilver \$236-240 per flask New York.

U.S. Treasury

WASHINGTON (AP) — The cash position of the treasury compared with a year ago.

Jan. 27, 1864 Jan. 25, 1963
B: \$ 4.103,194,318 \$ 5.456,410,278
Drpos. 66.631.004.802 57,463,332,812
Whdr 71.488.200,117 68 839,426,439
Drbt 310.456.584.29 304 973,558,376
Ahaets 15.512,355,813 15,827,687,889

Odd Lot Sales

NEW YORK (AP). The New York Stock Exchange reported Thursday these odd lot transactions by prin ipal dealers for Jan 29 Purchase of 402,006 ahares, sales of 434,471 sf ares Including 7,361 shares sold slott.

Activity Stirs Market; Stock Average on Rise

NEW YORK (AP) - The stock market was active with prices mixed at the opening Friday

Searle declines 63½ on 2,000 shares Bethlehem advanced 33½ on 1,900 shares Ar

Changes of most key stocks were small

Wallace & Tiernan opened wallace & Thernan opened on 11,500 shares. up 14 at 26 Opening blocks included: Chrysler, off 38 at 3838 on 5,000 shares. Avnet, up 1/8 at 141/2 on 5,200; and Studebaker, up 1/4 at 7 on 6,000. Sperry Rand was unchanged at 19 on 8,000 shares.

On openers of 3,000 shares | Standard & Poor's Index each, Reynold's Tobacco gained 3s at 39% and Radio Corp. (regular) slipped 4 to 10834.

Bethlehem advanced 38 to 33⁷s on 1,900 shares. American Telephone dipped ¹4 to 143³4 on 3,000 shares

American Can, Montgom-ery Ward, U.S. Steel and San Diego Imperial were unchanged.

Thursday the Associated Press average of 60 stocks role .2 to 290.5.

changed at 19 on 8 000 shares.

Radio Corp. (when issued was unchanged at 36 km on 4.000 shares.

American Tobacco gained 1/4 at 28 % on 3,100 shares.

On openers of 3 000 km of the 200.5.

Prices advanced on the American Stock Exchange, Small gains were posted for Scurry-Rainbow Oil, Data-Control Systems, Molybden-um and Pyle National.



When I was offered a Ford F-250 pickup (34-ton) and a new Travel Queen camper (12-foot) by KIRBY'S KAMPER KORNER, 1918 NE Union, a subsidiary of Lynn Kirby Ford, what could a person do but ask for a few days greating.

I decided to find out what it was like to live in the great outdoors in a piggyback hotel. It's fun.

Roy Sumner, Kirby Ford truck manager said, "Try the mountains!" People at the office said, "Try the seashore!"

I decided to try both. I got as far as the mountains (this was last week) and after a tip from a waitress at Government Camp, got the hob out of there fast. A blizzard struck that night and highways were blocked almost a day.

I'd try the seaside. The weather forecast said snow on the mountain passes—chains required. No chains! Then it reined and slides were a peril on most roads.

Undaunted, I decided I'd try camping just outside Portland. Here things began to fall in place and livin' was easy. It was chilly, damp and gloomy. But with the butane stove providing heat, the Travel Queen was, like! said, "a piggyback hotel."

The Travel Queen has a 16-gallon glass-lined water tank with outside drain. It has a 100-pound capacity icebox, plastice-lined and easy to clean. In addition, it has three 12-volt lights, a butane light and an outside plug-in for 110-volt electric power.

Replacing the sleeping bag in the Travel Queen is a four-inch thick foam plastic mattress in the cab-over.

There's enough cabinet and drawer space to add another A wardrobe closet and closet for, ahem—a marine-type john—just about rounds out Travel Queen's conveniences.

Getting down to the brawn of the whole rig is the Ford F-250 pickup. It's a truck. It doesn't make any bones about

it. It has the Custom Cab that provides luxuries like a five-inch cushion of foam rubber in the seat.

It has a padded dash, hard-wearing floor mat, two-tone paint, a fancy steering wheel and sound deadening material throughout the entire cab. But, it's still a truck.

The heart of my pickup was the 160-horsepower, 292 cubic-inch V-8 engine. It's a short stroke job that guarantees long life and is as dependable as rain in Oregon's wintertime. This sweet-purring powerplant was coupled to Ford's three-speed Cruise-O-Matic transmission. The Ford F-250's 128-inch wheelbase, heavy duty springs, shocks, wheels and tires, made cornering with the Travel Queen as easy as driving the family sedan. A word of advice: Don't guess at what loads your pickup can carry. Roy Sumner is one of those slide-rule guys. He'll be glad to offer suggestions.

A Dickup-camper combination beats a vacation cabin

A pickup-camper combination beats a vacation cabin. If you're at the beach and the mountain country is cooler and more luring, just put that Cruise-O-Matic in drive and go. No property taxes, no shingles to replace, no repairing the chimney.

WAREHOUSE-LOADING DOCK SHORT TERM LEASE

AVAILABLE

Very Reasonable Rental-5600 Square Feet With Office and Parking Centrally Located. West Side

CA 6-7721, Ext. 277

| | NOTICE OF APPLICATION FOR A FRANCHISE BY SOUTHERN PA CIFIC PIPE LINES, INCORPOR |
|-------------|---|
| | CIFIC PIPE LINES, INCORPOR |
| | Notice is hereby given that ar |
| | franchise by Southern Pacific Place |
| | cessors, assigns and line auc |
| | the franchise right and privilege |
| | operate or cause to be operated. |
| | line facilities for transportation of |
| | carrier together with nump stations |
| | for transportation of such accusion |
| | by pipe line under and across the |
| | Notice is hereby eiven that are application has been made for a franchise by Southern Pacific Pies Lines, Inc., a corporation, its auccessors, assigns and lesses, for the franchise right and privilege to acquire, own maintain euglipoperate or Cause to be operated, renew, repair and reconstruct piese line facilities for transportation of petroleum products as a common carrier together with pump stations, gethering lines and other feasible proof or transportation of such products by pipe line under and across the area in the City of Portland as follows: |
| | lying West of the Willamette River |
| | and between rights of way or par- |
| | the garantee and used as a right |
| | of way for its pipe line as now |
| | the City of Portland boundary of |
| | follows: All streets and public blaces lying West of the Willamette River and North of West Burnside Street and between rights of way or par- cels of land owned or leased by the garantee and used as a right of way for its pipe line as now constructed between N.W. Front Ava- nue and the Western boundary of the City of Portland or any ext- ind of 20 years. |
| - | ension of said boundary for a per- iod of 20 years. A copy of such proposed fran- chise is on file in the office of the City Auditor in the City Hall, Portland, Oregon and is subject to |
| - | the City Auditor in the City Hall |
| Cate of the | Portland, Oregon and is subject to examination. |
| ļ | Any person having any objection to such proposed franchise or any provision theraof may file the same in writing with the Auditor of the City of Portland at his office in the City Hall, Portland, Oregon, within twenty (20) days from the first publication of this notice, namely January 31, 1964. |
| | provision theraof may file the same |
| | City of Portland at his office in |
| | in twenty (20) days from the first |
| | January 31, 1964. |
| | January 31, 1964. If the request is made therefor, the Council will fix a time for hearing upon, such objections, and give reasonable notice at the time thereof of not less than firms. |
| | give reasonable notice at the |
| | GSA2 1999 HIGH 1166 (3) |
| | This notice is mublished in ac- |
| | tion 10-207 of the Charter of |
| | coroance with the provisions of Sec- tion 10-207 of the Charter of the City of Portland, Oragon, and at the expense of the applicants ser- such franchise. |
| | RAY SMITH |
| | |
| | lished January 31, 1964. |
| | |

| In the | Court of the State of Oregon |
|---------------------|---|
| | for the County of Multnomah |
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| | |
| | Plaintiff vs. |
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| | |
| | 1 |
| | Defendant |
| STATE OF OREGO | , nc |
| | > ss. |
| County of 1 | Multnomah |
| I. 1/2/ | Lancer accitic |
| at and during all | worn, say that I am the Controller of The Oregonian; that The Oregonian is, and the times herein mentioned was, a daily newspaper of general circulation, printed |
| more than five c | Multnomah County, Oregon, made up of at least four pages, each page containing olumns and each column of type matter 17 inches or more in depth; that said stablished and regularly and uninterruptedly published (except only interruption |
| and state during | by the provisions of Section 1-510, O.C.L.A., as amended) daily in said county a period of more than 12 consecutive months immediately preceding the first |
| and during all of | advertisement, a printed copy of which is hereto attached marked "Exhibit A." the times herein mentioned had, and now has, more than 200 bona fide subscriber Multnomah County; that said advertisement was published without interruption |
| | |
| in the regular issu | nes of The Oregonian for |
| dates, to-wit: | January 3/ 1964 |
| | , and that during said term/said paper was regularly published. |
| | OR Bourealle |
| | Controller |
| Subscribed and | sworn to before me this |
| | To re 13. Quet |
| | No Constant Notary Public for Oregon |
| F -1703 | My Commission expires: |

| In the | (| Court of the S | ate of Oregon |
|-------------------------|--|-----------------------|-------------------------|
| | for the County of | Multnomah | |
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| | VI. | Plaintiff | |
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| | | ************ | |
| | | Defendent | |
| STATE OF CRESON | |] | |
| County of Multne | omah | 34. | |
| months of much links in | hat I am the Controller of the the times herein mentioned we Multnomah County, Oregon, e columns and each column of established and regularly a rered by the provisions of Secring a period of more than I the advertisement, a printed all of the times herein mentionithin said Multnomah Countries. | as, a daily newspaper | or general circulation, |
| | ne regular issues of the Oregon | ī | - saccemive |
| LSSLAN_ on the | e following dates, to-wit: | asular | 311964 |
| | and that during sai | - / / 1- | \mathbf{v}_{1} |
| | | - Kein | Controller |
| Subscribed and sworn to | before me this de | y of state | cary 10 6 56 |
| | 10)a | Notary Publ | c for Oregon |
| | MY Commission expires: | M'SSION EXTERES F | S. 12. 1967 |

NOTICE OF APPLICATION FOR A FRANCHISE BY SOUTHERN PA-CIFIC PIPE LINES, IN ORPOR-

ATED
Notice is hereby given that an application has been made for a franchise by Southern Pacific Ploa Lines, Inc., a corporation, its successors, assigns and lessees, for the franchise right and privilega to acquire, own, maintain, equip, operate or cause to be operated, renew, repair and reconstruct pipa line facilities for transportation of petroleum products as a common ine tacilities for transportation or petroleum products as a common carrier logether with pump stations, gathering lines and other facilities for transportation of such products ny pipe line under and across the follows

All streets and public places iving west of the Willamette River and North of West Burnside Street and between rights of way or parthe garantee and used as a right of way for its pipe line as now constructed between N.W Front Avenue and the Western boundary of the City of Portland or any extension of said boundary for a perod of 20 years.

A copy of such proposed franthe City Auditor in the City Hall. Portland, Oregon and is subject to

examination.

Any person having any objection to such proposed franchise or any provision thereof may file the same in writing with the Auditor of the City of Portland at his office in the City Hall, Portland, Oregon, within twenty (20) days from the first publication of this notice, namely January 31, 1964

If the request is made therefor, the Council will fix a time for hearing upon such objections, and give reasonable notice at the time thereof of not less than five (5)

This notice is published in eccordance with the provisions of Seccordance with the provisions of sec-tion 10 207 of the Charter of the City of Portland, Oregon, and af the expense of the applicants for such franchise

RAY SMITH RAY SMITH
Auditor of the City of Portland
Dated at Portland, Oregon and pub-lished January 31, 1964.

F-1703

January 17, 1964

Office of City Attorney

Public Utilities

Commissioner Mark A. Grayson

Franchise for Southern Pacific Pipe Lines Inc.

Dear Commissioner Grayson:

Attached hereto is the form of franchise for Southern Pacific Pipe Lines Inc., which we have been negotiating for some little time.

Also enclosed are sufficient copies of the map of this pipe line to be distributed to each member of the Council with a couple of copies left over for the Council file.

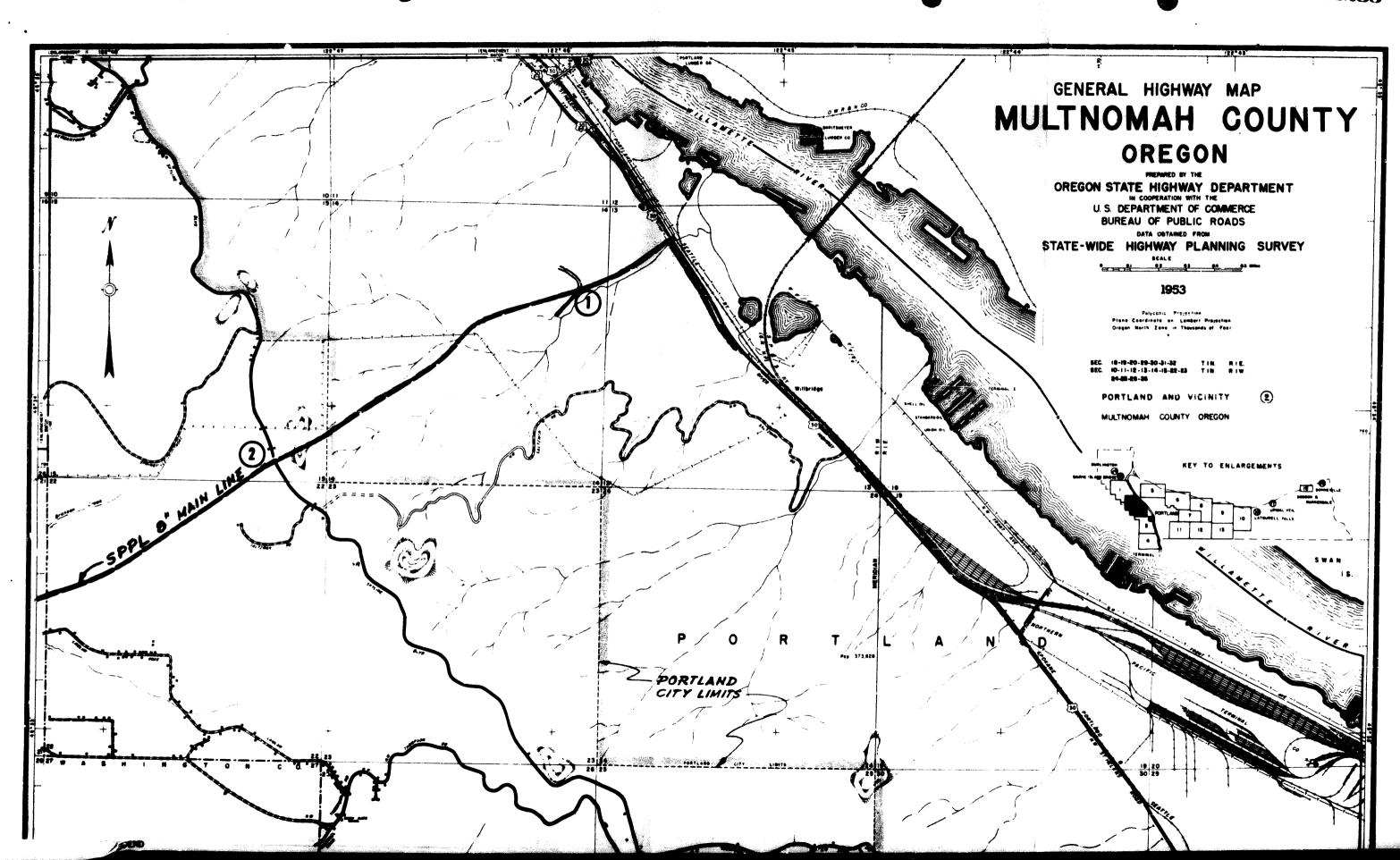
This franchise provides for a possible increase to the city of compensation in the event of annexation in the Northwest portion.

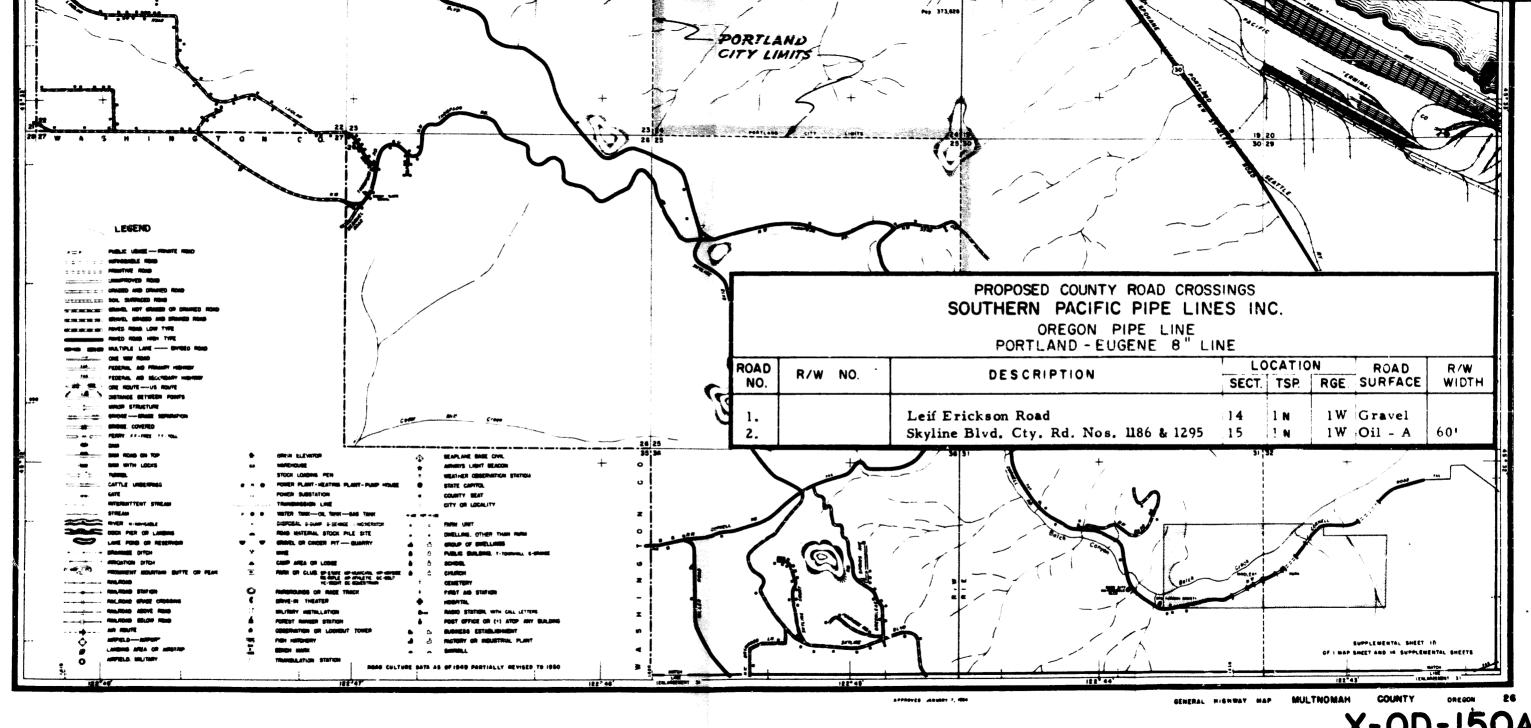
The franchise proposed will run for 20 years from the effective date thereof, but the compensation will include additional compensation from the time when transportation through the pipe line was first started to the effective date of the franchise ordinance.

Yours very truly,

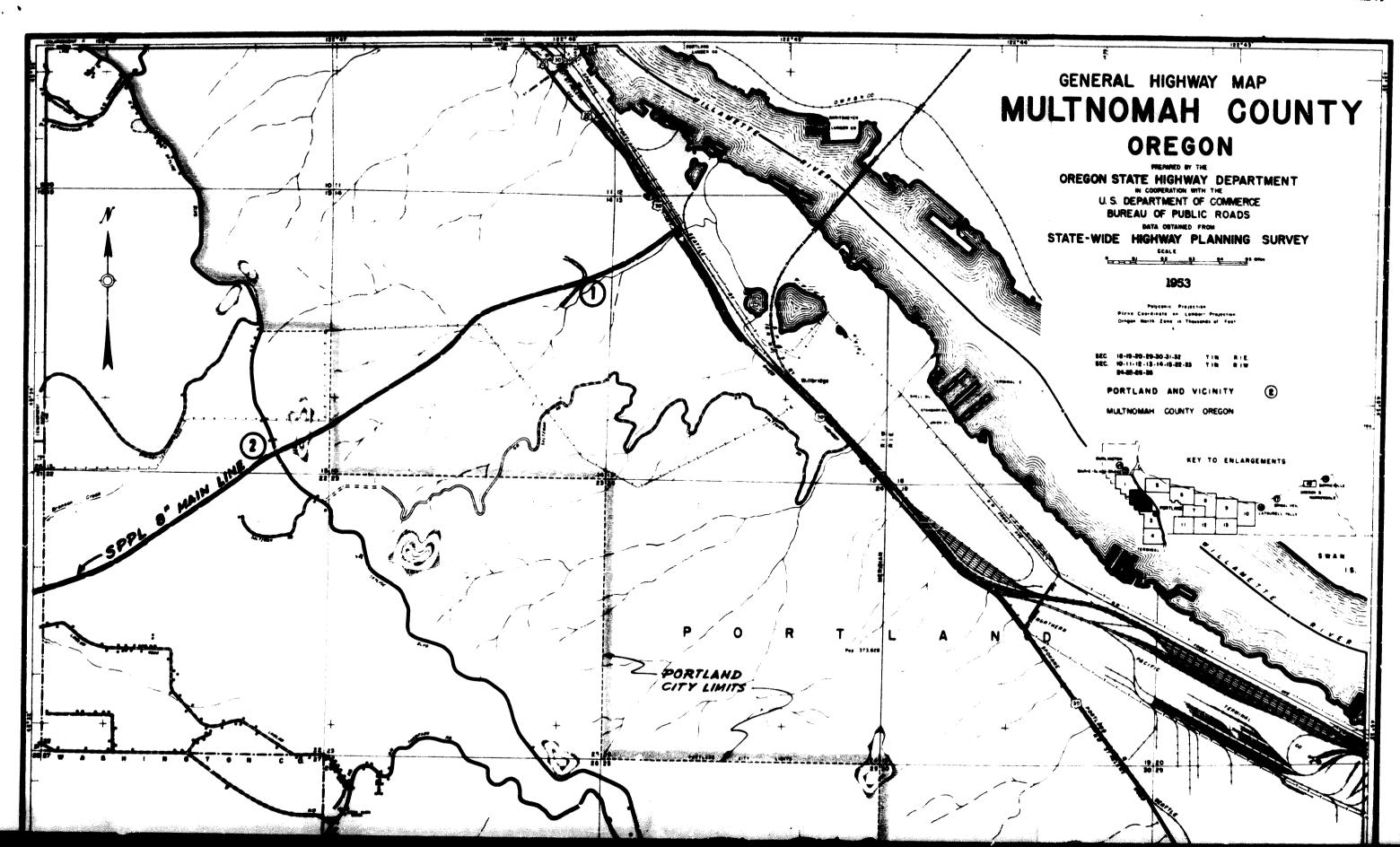
MARIAN C. RUSHING Chief Deputy City Attorney

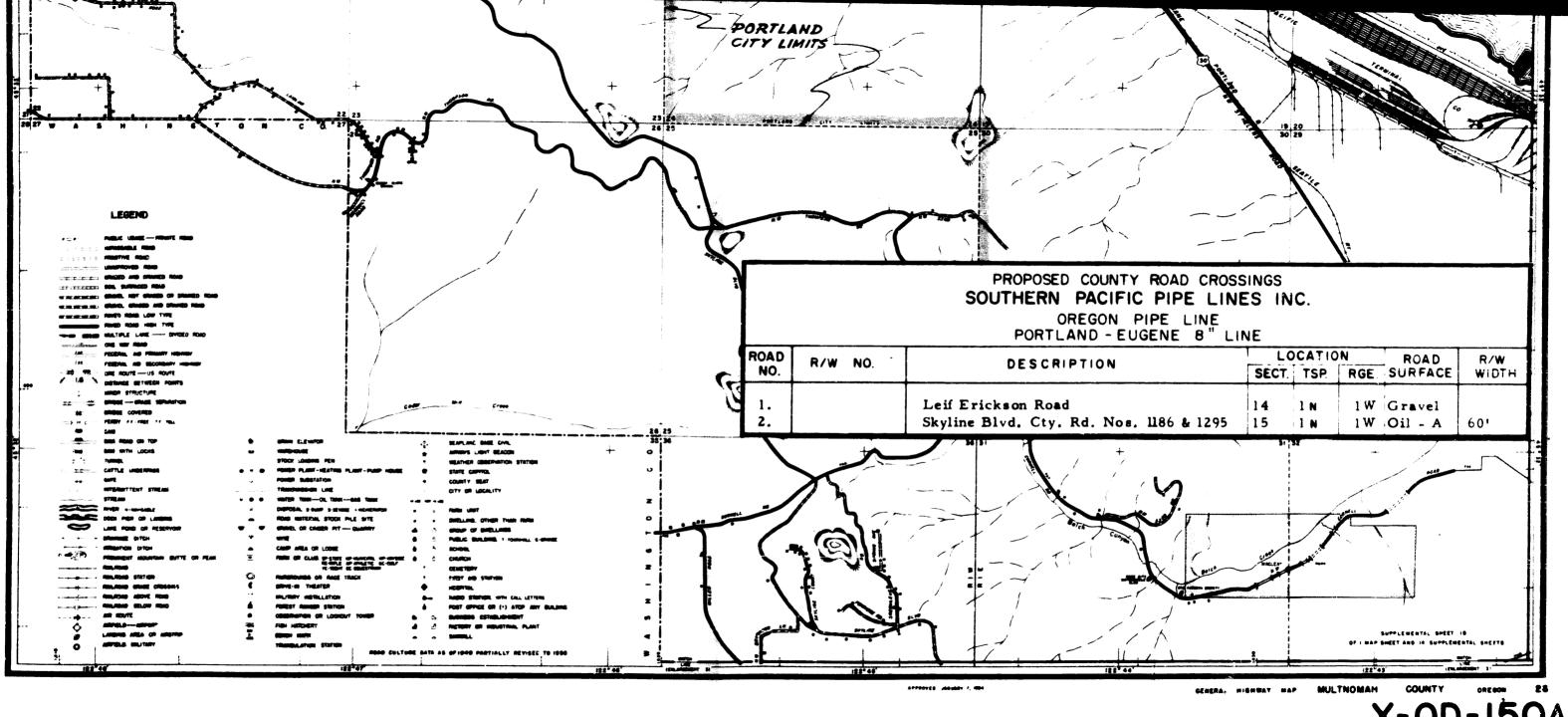
MCR/fg Encls





X-0D-150A





X-0D-150A

ORDINANCE NO. 118285

An Ordinance granting to Southern Pacific Pipe Lines, Inc., a corporation, its successors, assigns and lessees, a franchise to use the streets, alleys and public highways within the City of Portland north of West Burnside Street for transporting petroleum products by pipe line for a period of 20 years and providing terms and conditions.

The City of Portland ordains:

Section 1. The Council finds that by Ordinance No. 115157, as amended, a revocable permit was granted to Southern Pacific Pipe Lines, Inc. to lay, use and maintain pipe lines under and across certain Portland streets subject to negotiation of a franchise; that the franchise right and privilege to use, maintain and extend the same and for operation of its common carrier business of transporting petroleum products by pipe line should be granted subject to the terms and conditions of this ordinance.

Specific Grant.

Section 2. (1) There is hereby granted to Southern Pacific Pipe Lines, Inc., a corporation, its successors, assigns and lessees, subject to the terms and provisions contained in this ordinance, a franchise right and privilege to acquire, own, maintain, equip, operate or cause to be operated, renew, repair and reconstruct pipe line facilities for transportation of petroleum products as a common carrier together with pump stations, gathering lines and other facilities for transportation of such products by pipe line under and across the following area in the City of Portland:

All streets and public places lying West of the Willamette River and North of West Burnside Street and between rights of way or parcels of land owned or leased by the grantee and used as a right of way for its pipe line as now constructed between N. W. Front Avenue and the Western boundary of the City of Portland or any extension of said boundary.

Section 2. (2) There is hereby granted to Southern Pacific Pipe Lines, Inc., subject to the terms and provisions contained in this ordinance, the further franchise, right and privilege to extend its existing lines within the area described in the foregoing paragraph and to install such other additional pump stations and facilities as the grantee may find necessary or convenient for its business of transportation of petroleum products.

Charter provisions apply.

Section 3. (1) This grant is made subject to all of the applicable provisions of the charter of the City of Portland and the grantee herein shall be bound by each and every provision of said charter insofar as the same may be applicable to such grant, as though such provisions were herein expressly written and made a part hereof.

Section 3. (2) This franchise shall apply to, inure to, and bind the grantee herein, its successors, assigns and lessees, provided, however, that this franchise shall not be assigned or its privileges sublet, nor shall any of the rights or privileges hereby granted or authorized be further leased or be assigned, sold or transferred without the consent of the city, expressed by ordinance, which ordinance shall be subject to the referendum in like manner as ordinances granting franchises.

Plans, specifications and construction.

Section 4. (1) All plans and specifications for all work authorized by this ordinance when prepared shall be submitted to the City Engineer for his approval, and no such work shall be undertaken without the approval and the permit of the City Engineer, and all work of constructing, reconstructing, removing or replacing of pavement or the installation of necessary facilities shall be subject to inspection and approval by the City Engineer. Whenever the grantee shall disturb any of the streets, alleys, avenues and/or public highways or grounds for the purpose mentioned in this section it shall restore the same to as good or better condition than that which previously existed as soon as practicable without unnecessary delay, and upon failure to do so the Council and/or the City Engineer shall have the right to fix a time, which shall be reasonable, within which such repairs and restoration shall be completed, and upon failure of such repairs being made by the grantee the city shall have the right to make or cause to be made such repairs, which shall be at the expense of the grantee.

Section 4. (2) For the purpose of laying down, repairing, reconstructing or replacing pipe lines and necessary facilities and of doing all things or anything authorized, the grantee shall not obstruct any street, for a greater continuous distance than the length of three blocks at any one time, nor for a longer period than two weeks at any one time, excepting that in case of bad weather, strikes, riots, accidents, casualties, delays or defaults of carriers, materialmen or contractors or judicial interferences or other causes beyond the control of the grantee, the Council may extend such time.

Section 4. (3) Nothing in this ordinance shall be construed to prevent the city, through its Council, from constructing or reconstructing any sewer, or from grading, paving, planking, repairing and/or altering any street, alley or avenue, or from constructing or reconstructing any viaduct, viaduct-approach, bridge, bridge-approach, tunnel or tunnel-approach, or from the laying down or repairing of any water main, or from the construction, reconstruction or repair of any other public work by the city. All such work shall be done, if practicable, in such manner as not to obstruct, injure or prevent the free use and operation of the pipe lines of the grantee, provided, however, that if any of the pipe lines, appliances, or structures of the grantee shall be placed in any of the streets, alleys, avenues and/or public places or grounds of the city so as to interfere with the construction. reconstruction or repair of any public work as hereinbefore referred to, all such pipe lines, appliances and structures shall be removed, relocated or replaced in such manner as shall be directed by the Council so that the same shall not interfere with said public work of the city, and such removal, relocation and replacement shall be at the expense of the grantee.

Section 4 (4) Nothing in this ordinance shall be construed to prevent any utility, operating under a franchise or permit granted by the city, from constructing, altering, repairing or maintaining its facilities such as pole lines, duct lines or pipe lines for gas. All such work shall be done, if practicable, in such manner as not to obstruct, injure or prevent the free use and operation of the pipe lines of the grantee, provided, however, that if any of the pipe lines, appliances or structures of the grantee shall be placed in any of the streets, alleys, avenues and/or public places or grounds of the city so as to directly interfere with the construction of any private utility improvement, whether it be the construction of a pole line, duct line, or pipe line for gas, such pipe lines, appliances and structures shall be removed or replaced in such manner as shall be approved by the Council so that the same shall not interfere with said utility improvement, but such removal and replacement shall be at the expense of the utility requesting same if said matters be not determined pursuant to statute.

Rates.

Section 5. Initial rates to be charged by the grantee shall be as filed with and approved by the Interstate Commerce Commission under the conditions fixed in local pipe line tariff 8 by authority of the Interstate Commerce Commission. During the term of this franchise the rates shall be subject to changes in accordance with the regulations of state and federal regulatory authorities as to all transportation from points within the city to points outside the City of Portland. Provided, however, that for any transportacion from a point within the city to another point within the City of Portland, Oregon, rate regulation

may be imposed by the City Council in accordance with rate regulations and provisions contained in the city charter.

Operating provisions.

Section 6. The Council reserves the right to impose reasonable safety requirements on operations of the grantee and such operations shall be subject to all applicable ordinances of the city whether now existing or hereafter enacted.

Liability.

Section 7. The said grantee herein, its successors, assigns and lessees, shall each save and hold harmless the City of Portland, its officers and employes from any liability for injury or damage arising from any casualty or accident to persons or property due to neglect or omission of the said grantee in connection with the operation of this franchise, provided that the city, its officers and employes, shall not be guilty of concurring negligence proximately causing or contributing to such casualty or accident. The said grantee shall also save and hold harmless the city, and its officers and employes from any liability for injury or damage to persons or property which may arise from a failure on the part of the city or its officers to compel, supervise or inspect any construction, reconstruction, maintenance or operation of the grantee hereunder. Should suit or action be filed against the city either separately or jointly with the grantee herein, upon such claims for damage or injury, said grantee upon notice from the city, shall defend the city, either separately or jointly with the grantee in said suit or action, as the grantee may elect, and the said grantee shall pay any judgment and costs that may be rendered against the city, separately or jointly with the said grantee, provided, however, that the provisions of this section shall not be construed to constitute a waiver of the immunity provisions granted to the city by the charter.

Failure to Perform.

Section 8. In case of any failure by the grantee to do and perform any of the terms or conditions of this franchise the grantee shall be notified of such failure by written notice from the City Engineer or the Commissioner of Public Utilities. If the grantee shall not promptly correct such failure, the city may take such action as may be appropriate to declare a forfeiture of the rights and privileges granted hereunder, but no forfeiture shall be declared unless the failure, of which the grantee has been notified, remains uncorrected for a period of at least thirty days after date of notice.

Abandonment.

Section 9. If the grantee, its successors, assigns and

lessees shall abandon, or for one hundred twenty (120) days in succession, discontinue use for the purpose aforesaid of the streets or any portion of the streets authorized by this ordinance, then the grantee, its successors, assigns and lessees, unless prevented by state or federal laws or regulatory authority, shall at the request of the City Council promptly remove its facilities and other property from the streets or portions thereof so abandoned or discontinued and upon such removal restore those portions of said street or streets so abandoned or discontinued so that the same shall be placed in as good condition as at the time of abandonment or discontinuance. Nonuse caused by strikes, legal process, action of the city or other causes beyond the control of the grantee, its successors, assigns or lessees, shall not constitute abandonment or discontinuance of use within the meaning of this section. Nothing contained herein shall be deemed to be a consent on the part of the city to any abandonment.

Term.

Section 10. The term of this franchise shall be twenty (20) years from the effective date of this franchise ordinance, subject to the acceptance by the grantee as provided herein.

Compensation.

Section 11. As compensation for this franchise, the grantee, its successors, assigns and lessees, shall pay to the city three per cent (3%) of its gross revenues from pipe line transportation, computed and payable as follows: To total gross Oregon revenues for such services during the preceding quarter, the grantee shall apply a fraction determined by using the total miles of main line in use in Oregon during the preceding quarter as the denominator and the total miles of main line in use in the City of Portland during the preceding quarter as the numerator and multiply the results by 3%, which shall fix the amount of compensation and grantee shall pay such compensation to the City Treasurer on or before 45 days following the end of each calendar quarter. Within 45 days after the effective date of this franchise ordinance, grantee shall pay to the city compensation computed as aforesaid for the period from September 17, 1962 to the beginning of the quarter preceding such effective date. The payment of the franchise fee provided in this section shall not prevent requirement of a license fee by the city.

Manner of Giving Notice.

Section 12. Whenever by the terms of this ordinance notice is required to be given to the grantee it shall be by notice in writing addressed to the principal office of the grantee, in the City of Portland, Oregon, and whenever notice is required to be given to the city it shall be in writing addressed to the city

ORDINANCE No.

and delivered to the office of the Auditor of the city.

Acceptance.

Section 13. The grantee shall within thirty (30) days after the effective date of this ordinance file in the office of the City Auditor a written acceptance hereof approved as to form by the City Attorney. A failure on the part of grantee to file such written acceptance within such time shall be deemed an abandonment and rejection of the rights and privileges conferred hereby and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed as an acceptance of all the terms, conditions and restrictions contained in this ordinance.

Passed by the Council, APR 1 - 1964

Mayor of the City of Portland

Attest:

Auditor of the City of Portland

Bowes Schrunk Grayson Earl Bean THE COMMISSIONERS VOTED AS FOLLOWS: Yeas Nays

| FOUR-FI | FOUR-FIFTHS CALENDAR |
|---------|----------------------|
| Bean | MB |
| Bowes | puliBe |
| Earl | 1.18 |
| Grayson | |
| Schrunk | 7 |

Calendar No.



2/26

ORDINANCE No. 118285

A Ordinance granting to Southern products by pipe line for a period of 20 years and providing terms and conditions. 1 4 2 alleys and public highways within the City of Portland north of West Burnside Street for transporting petroleum chise to use the streets, assigns and lessees, a francorporation, its successors, Pacific Pipe Lines, Inc., a

JAN 23 1964

PASSED TO THIRD READING 97 1- 1944

Piled.... JAN 22 1964

of the CITY OF PORTLAND RAY SMITH

Deputy

INTRODUCED BY

Commissioner Grayson

DRAWN BY

MCR/fg

Date January 17, 1964

Finance Safety Works Utilities **Affairs** NOTED BY THE COMMISSIONER

City Attorney

NOTED FOR CITY AUDITOR

Date Date Ву City Engineer APPROVED